

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** William K. Keener

**Serial No.:** 10/800,052

**Filed:** March 12, 2004

**For: PLASMIDS ENCODING  
THERAPEUTIC AGENTS**

**Examiner:** Daniel M. Sullivan

**Group Art Unit:** 1636

**Attorney Docket No.:** B-221

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**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed August 24, 2006, wherein a species restriction requirement was issued by the Office. Applicants hereby elect species pWKK-500, Group I (claims 1-10, 13 – 19, drawn to a plasmid selected from those recited in claims 1-10 or made by a process as set forth in claims 13-19, classified in class 435, subclass 320.1), for examination without traverse.

CONCLUSION

Should there be any issues outstanding; the Examiner is cordially invited to contact Applicants' attorney by telephone to resolve any such issues in a timely manner.

RESPECTFULLY SUBMITTED,

/Eric M. Barzee/

By \_\_\_\_\_

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Date: September 20, 2006